

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Uwe Radermacher
Appl. No.: 10/769,200
Conf. No.: 7586
Filed: January 29, 2004
Title: SUPPORTING FRAMEWORKS
Art Unit: 3632
Examiner: Kimberly T. Wood
Docket No.: 113378-070

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL STATEMENT PURSUANT TO 37 CFR 1.137(b)

Sir:

On November 1, 2007, Applicant filed a Petition to revive this application under 37 C.F.R. §1.137(b), including a Statement ("Petition"). On November 19, 2007, the United States Patent and Trademark Office ("PTO") granted such Petition. Since the filing of the Petition, Applicant has received information which might be relevant to the consideration of the Petition. Specifically, Applicant has received the enclosed Statement Pursuant to 37 C.F.R. §1.137(b) by Previous Attorney of Record dated May 30, 2008. Applicant requests the consideration of such Statement by the PTO in connection with the Petition.

To the extent any additional fees are due and owing in view of this communication, please charge Deposit Account No.: 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY


Renato L. Smith

Reg. No. 45,117

Customer No. 24573

Dated: June 4, 2008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:)
U. Radermacher)
For: SUPPORTING FRAMEWORKS)
Serial No.: 10/769,200)
Filed: January 29, 2004)
Examiner: Kimberly T. Wood)
Art Unit: 3632)
Conf. No.: 7586)
Atty Dkt. No.: 113378-070)
(Formerly 113642-046))

STATEMENT BY PREVIOUS ATTORNEY OF RECORD

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 1, 2007, Applicant submitted a Petition for Revival under 37 C.F.R. §1.137(b) ("Petition") for the above-identified patent application, accompanied by a Statement Pursuant to 37 C.F.R. §1.137(b). On November 19, 2007, the U.S. Patent and Trademark Office ("USPTO") issued a decision granting such Petition. The undersigned attorney, who is the previous attorney of record, makes the following statements in support of such Petition or otherwise in support of the withdrawal of the holding of abandonment of the above-identified patent application. To the extent required by the USPTO or other applicable rules or laws, the statements set forth below shall be collectively deemed as a supplemental statement pursuant to 37 C.F.R. §1.137(b).

1. The undersigned attorney received an Office Action mailed by the USPTO on June 21, 2005.

Appl. No. 10/769,200

Atty Dkt. No. 113378-070 (formerly 113642-046)

2. The USPTO mailed a Notice of Abandonment on January 13, 2006 ("Notice") asserting a response to the June 21, 2005 Office Action was not received by the USPTO.
3. The undersigned attorney states that a Response to Office Action ("Response") in response to the June 21, 2005 Office Action was submitted to the USPTO on September 21, 2005 by first class mail.
4. The following documents are attached which show that the Response was submitted to the USPTO: (a) a copy of the stamped, return post card submitted with the Response on September 21, 2005, (b) a copy of an Amendment Transmittal Letter having a signed certificate of mailing dated September 21, 2005 and submitted with the Response, and (c) a copy of the Response with a signed certificate of mailing dated September 21, 2005.
5. The undersigned attorney states that the January 13, 2006 Notice was not received by the undersigned attorney.
6. The undersigned attorney states that a search of our patent application file and our docket records indicates that the July 23, 2007 Notice was not received by the undersigned attorney.
7. The undersigned attorney respectfully submits that the holding of abandonment for the above-identified patent application should be withdrawn because the Response was timely submitted in response to the June 21, 2005 Office Action. Alternatively, the undersigned attorney respectfully submits the above-identified patent application should be revived.
8. The undersigned attorney states that there was no intent to abandon the above-identified patent application because the Response was timely submitted in response to the June 21, 2005 Office Action.

Appl. No. 10/769,200

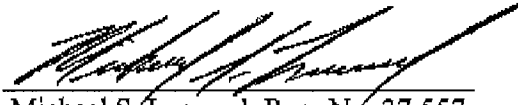
Att'y Dkt. No. 113378-070 (formerly 113642-046)

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

Date: May 30, 2008

BY



Michael S. Leonard, Reg. No. 37,557

P.O. Box 708

Northbrook, IL 60065

Phone: (847) 272-3400

In re Patent Application
U. Radermacher
SUPPORTING FRAMEWORKS

Serial No. 10/769,200 Filed: 1/29/2004

PATENT
Dkt. No. 113642-046
MSL/
9/21/2005

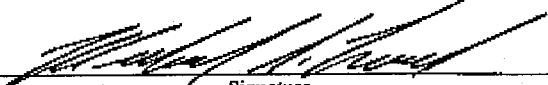
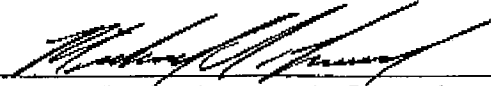
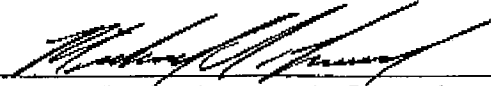
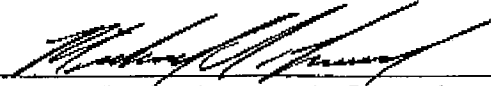
Enclosures:

1. Amendment Transmittal Letter (1 pg.);
2. Response to Office Action (8 pgs.);
3. Postcard: Return Receipt Requested.—



RECEIVED: _____

PLEASE STAMP AND RETURN

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. 113642-046									
Applicant(s): U. Radermacher														
Application No. 10/769,200	Filing Date 01/29/2004	Examiner Kimberly T. Wood	Customer No. 43793	Group Art Unit 3632	Confirmation No. 7586									
Invention: SUPPORTING FRAMEWORKS														
<u>COMMISSIONER FOR PATENTS:</u>														
Transmitted herewith is an amendment in the above-identified application.														
The fee has been calculated and is transmitted as shown below.														
CLAIMS AS AMENDED														
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE									
TOTAL CLAIMS	39 -	39 =	0	x \$50.00	\$0.00									
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00									
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-3189 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.														
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.														
 Signature			Dated: September 21, 2005											
Michael S. Leonard, Reg. No. 37,557 Everest Intellectual Property Law Group P.O. Box 708 Northbrook, IL 60065 Phone: 847-272-3400			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td> </tr> <tr> <td style="text-align: center;">September 21, 2005</td> <td style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">  Signature of Person Mailing Correspondence </td> </tr> <tr> <td colspan="2" style="text-align: center;"> Michael S. Leonard Typed or Printed Name of Person Mailing Correspondence </td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		September 21, 2005	(Date)	 Signature of Person Mailing Correspondence		Michael S. Leonard Typed or Printed Name of Person Mailing Correspondence	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on														
September 21, 2005	(Date)													
 Signature of Person Mailing Correspondence														
Michael S. Leonard Typed or Printed Name of Person Mailing Correspondence														
CC:														

Atty Dkt. No. 113642-046

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn Re Patent Application of:
U. RadermacherFor: **SUPPORTING FRAMEWORKS**

Serial No.: 10/769,200

Filed: January 29, 2004

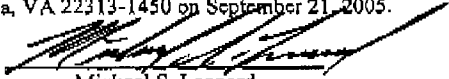
Examiner: Kimberly T. Wood

Art Unit: 3632

Conf. No. 7586

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Office with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 21, 2005.


Michael S. Leonard**RESPONSE TO OFFICE ACTION**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is submitted with in response to the final Office Action mailed June 21, 2005. Applicant requests amendment, reconsideration and allowance of the patent application.

Applicant invites the Examiner to call Applicant's Representative to discuss any issues with this application.

Listing of Claims begins on page 2 of this Response.

Remarks begin on page 7 of this Response.

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LISTING OF CLAIMS

This listing of claims replaces all prior versions and listings of claims in the patent application.

Claim 1 (currently amended): A supporting framework, comprising:

a roller having an axis positioned generally horizontally when in a use position, the roller having axial extensions projecting out of ends of the roller;

a carrying frame carrying the roller, the carrying frame having upwardly extending bearing limbs, the bearing limbs each having a bearing opening, each one of the axial extensions of the roller extending into one of the bearing openings; and

lateral guide elements adjacent the bearing limbs and projecting beyond a radius of the roller, the lateral guide elements being pivotal back and forth between an active position and an inactive position, the lateral guide elements in the active position being exposed toward a top supporting surface of the roller at the ends of the roller such that the lateral guide elements maintain a workpiece on the roller by preventing the workpiece from sliding off of the roller in an axial direction.

Claim 2 (original): The supporting structure of claim 1, wherein the lateral guide elements are pivotal about the axial extensions.

Claim 3 (original): The supporting framework according to claim 1, wherein the lateral guide elements have a lug extending from a lug supporting disk.

Claim 4 (original): The supporting framework according to claim 3, wherein the lug supporting disk has a central bearing opening which is plugged onto one of the axial extensions and is at least partially surrounded by an approximately semicircular slot through which a fastener projects.

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Claim 5 (original): The supporting framework according to claim 4, wherein the fastener is a screw screwed into a threaded bore of the bearing limb, the screw disposed directly beneath the axial extension and rests on a periphery of the semicircular slot by way of a screw head.

Claim 6 (original): The supporting framework according to claim 1, further comprising a catch disposed on the bearing limb and, with the lateral guide element moved into the active position, projects into a slot in the lateral guide element.

Claim 7 (original): The supporting framework according to claim 6, wherein the catch is formed by a notched portion along a peripheral incision of the bearing limb.

Claim 8 (original): The supporting framework according to claim 6, wherein the lateral guide element is tilted about a fastening location and releases the catch.

Claim 9 (original): The supporting framework according to claim 6, wherein the lateral guide element in the active position is in a generally vertically upwardly oriented position in which the lateral guide element is secured against pivoting by the catch and a fastener projecting through the slot.

Claim 10 (original): The supporting framework according to claim 1, wherein the lateral guide elements have a pivoting handle which is at least partially sheathed in plastic material.

Claim 11 (original): The supporting framework according to claim 1, further comprising a double arrow on the lateral guide elements indicating directions of rotation of the lateral guide elements.

Claim 12 (original): The supporting framework according to any one of claims 3-5, wherein the lug supporting disk has a diameter smaller than a diameter of the roller.

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Claim 13 (original): The supporting framework according to any one of claims 1 and 6-9, wherein the lateral guide element has a disk having a diameter less than a diameter of the roller, and a projection extending from the disk beyond the diameter of the roller.

Claim 14 (currently amended): A roller stand, comprising:

a framework;

a roller support connected to the framework and having opposed first and second ends;

a workpiece-supporting roller supported by the roller support between the first and second ends; and

a workpiece guide movably mounted at the first end of the roller support and movable between an active position and an inactive position while mounted at the first end of the roller support, the workpiece guide in the active position having a guide portion extending above the workpiece-supporting roller and exposed toward a top supporting surface of the workpiece-supporting roller such that the workpiece guide maintains the workpiece on the workpiece-supporting roller by preventing the workpiece from sliding off of the workpiece-supporting roller in an axial direction at the first end of the roller support, the guide portion not extending above the workpiece-supporting roller when the workpiece guide is in the inactive position.

Claim 15 (original): The roller stand of claim 14, wherein the workpiece guide is pivotally mounted to the first end of the roller support.

Claim 16 (original): The roller stand of claim 15, wherein the workpiece guide pivots about an axis of the roller.

Claim 17 (original): The roller stand of claim 14, wherein the workpiece guide comprises a lug support rotatably mounted at the first end of the roller support and a lug extending from the lug support, the lug extending above the workpiece-supporting roller when the workpiece guide is rotated to the active position and not extending above the workpiece-supporting roller when the workpiece guide is rotated to the inactive position.

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Claim 18 (original): The roller stand of claim 14, further comprising a position retainer associated with the workpiece guide and resisting movement of the workpiece guide from the active position.

Claim 19 (original): The roller stand of claim 18, wherein the position retainer further comprises a catch protrusion extending into a protrusion-receiving opening.

Claim 20 (original): The roller stand of claim 19, wherein the protrusion-receiving opening is a slot, and the position retainer further comprises a stop projection extending into the slot.

Claim 21 (original): The roller stand of claim 14, wherein the roller is a cylindrical-shaped roller.

Claim 22 (currently amended): The roller stand of any one of claims 14-21, further comprising another workpiece guide movably mounted at the second end of the roller support and movable between an active position and an inactive position while mounted at the first end of the roller support, the workpiece guide at the second end in the active position having a guide portion extending above the workpiece-supporting roller and exposed toward the top supporting surface of the workpiece-supporting roller such that the workpiece guide maintains the workpiece on the workpiece-supporting roller by preventing the workpiece from sliding off of the workpiece-supporting roller in an axial direction at the first end of the roller support, the guide portion at the second end not extending above the workpiece-supporting roller when the workpiece guide at the second end is in the inactive position.

Claim 23 (original): The roller stand of claim 22, wherein the workpiece guides are movable between their respective active and inactive positions independently of each other.

Claim 24 (original): The roller stand of claim 17, wherein the lug is integral with the lug support.

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Claim 25 (original): The roller stand of claim 14, wherein the first end of the roller support and the workpiece guide have opposed, generally flat surfaces in contact with each other.

Claim 26 (previously presented): A roller stand, comprising:

a framework;

a roller support connected to the framework and having opposed first and second ends;

a workpiece-supporting roller supported by the roller support between the first and second ends;

a first workpiece guide movably mounted at the first end of the roller support between an active position and an inactive position; and

a second workpiece guide movably mounted at the second end of the roller support between an active position and an inactive position, the first and second workpiece guides being movable between their respective active and inactive positions independently of each other.

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REMARKS

The final Office Action was issued on pending claims 1-26. Claims 1, 2, 6, 8, 11, 14-19, 21, 22, 24 and 25 stand rejected, and claims 3-5, 7, 9, 10, 12, 13, 20 and 23 stand objected to. In this Response, claims 1 and 14 have been amended, no claims have been added or cancelled. Thus, claims 1-26 are pending in the application.

Applicant invites the Examiner to call Applicant's Representative to discuss any issues with this application.

Allowed and Allowable Claims

The Office Action at page 3 states claim 26 is allowed.

At page 3 of the Office Action, claims 3-5, 7, 9, 10, 12, 13, 20 and 23 were objected to as being dependent upon a rejected base claim, but noted as being allowable if rewritten in independent for including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the notice of allowed and allowable claims.

Claim Rejections – 35 USC §§102(b), 103(a)

At page 2 of the Office Action, claims 1, 2, 6, 8, 14-19, 21, 22, 24 and 25 were rejected under 35 U.S.C. §102(b) as being anticipated by Klemens (Klemens Degen) (DE 10055925A1). At page 3 of the Office Action, claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Degen. Applicant respectfully disagrees.

The Office Action at page 4 argues that “the features upon which applicant relies (i.e., lateral guide elements maintain a workpiece on the roller by preventing the workpiece from sliding off of the roller in an axial direction.) are not recited in the rejected claim(s).” Claims 1 and 14 have been amended to recite that feature.

Amended claim 1 calls for “the lateral guide elements in the active position being exposed toward a top supporting surface of the roller at the ends of the roller such that the lateral guide elements maintain a workpiece on the roller by preventing the workpiece from sliding off of the roller in an axial direction.” Accordingly, the claimed lateral guide elements are located at the ends of the roller and the lateral guide elements maintain a workpiece on the roller by

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preventing the workpiece from sliding off of the roller in an axial direction. Nowhere does Degen show, describe or suggest such features. Degen has a support head 8 which has a pivoting mount 14 articulated pivotably on a roller support 12. The pivoting mount 14 has a U-shaped design with balls 11 arranged to form a support element, on which a workpiece may be placed so that it may be displaced in all directions of the plane. Although the Degen pivoting mount 14 with balls 11 can be pivoted relative to the roller 9, the Degen pivoting mount 14 does not have Applicant's lateral guide elements in the active position being exposed toward a top supporting surface of the roller at the ends of the roller. Rather, the Degen pivoting mount 14 has the balls 11 instead of being exposed to the top supporting surface of the roller. Furthermore, the Degen balls 11 and the support member 10 are not at the ends of the roller such that they maintain a workpiece on the roller by preventing the workpiece from sliding off of the roller in an axial direction. A workpiece on the Degen balls 11 or the support member 10 could certainly slide off of the roller in an axial direction.

As to claim 14, claim 14 has been similarly amended. Accordingly, claim 14 is distinguished from Degen for similar reasons.

Dependent claim 22 has been amended to be consistent with amended claim 14.

The dependent claims are allowable at least for the same reasons that their respective independent claims are allowable.

Thus, Applicant submits that the §102 and §103 rejections should be withdrawn.

CONCLUSION


For the foregoing reasons, Applicant submits that the patent application is in condition for allowance and requests a Notice of Allowance be issued.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

Date: September 21, 2005

BY


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